

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Wu, et al.) Art Unit: 1624
U.S. Appln. No. : 10/672,412) Examiner: Paul V. Ward
Confirmation No. : 8418
U.S. Filing Date : 09/25/2003
Title of Invention : Small molecules useful in the treatment of inflammatory disease
Attny. Docket No. : 9/162-2-D1

Box Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

December 28, 2006

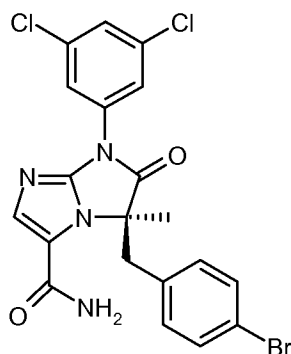
RESPONSE

Sir:

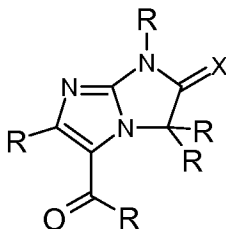
This is in response to the Office Action dated September 28, 2006, setting forth a 1 month period for reply. Filed herewith is a Petition and payment for a two (2) month Extension of Time under 37 CFR 1.136(a), making this response due on or before December 28, 2006.

At page 2, the Examiner indicates that claims 1-21 are generic to a plurality of disclosed patentably distinct species comprising imidazolidines, pyridines, furans and pyrrolines. The Examiner indicates that Applicant is required under 35 USC § 121 to elect a single disclosed species.

In response, Applicants herein elect Compound 56, which is depicted in the Table appearing on page 146 of the application, as the elected species. This compound has the following structure:



Applicants respectfully traverse the election of species requirement and submit that the election is made only to initiate a search and examination and that examination of this application should proceed according to the USPTO's Markush Practice as outline in MPEP § 803.02, at least with respect to those compounds of the present invention having the same core structure as elected compound 56, i.e. those compounds of Claim 1 wherein A¹ is =N-; A² is =C(H) or =C(R'); and D is a substituted carbon, e.g. compounds having the following core structure where the substitutions for X and R groups at various locations on the core are as defined in Claim 1:



The Examiner is respectfully requested in the next communication in this application to specifically delineate the scope and extent of the examined subject matter and point out any subject matter that is considered to be allowable.

In view of the above remarks, Applicants respectfully submit that this application is now in condition for early examination. If any points remain at issue which can best be resolved by

RESPONSE
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way of a telephonic or personal interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

/Philip I. Datlow/

Philip I. Datlow
Reg. No. 41,482

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road
P.O. Box 368
Ridgefield, CT 06877
Tel: (203) 798-4542
Date: December 28, 2006